

**REMARKS**

Claims 1, 2-19, 21-37, 39, 40 and 41-47 are currently pending. Claims 2, 20 and 38 are canceled, without prejudice or disclaimer, new claims 41-47 are added and claims 1, 12, 19, 30, 37, 39 and 40 are currently amended. The amendments contain no new matter and are fully supported by the original specification, including the original claims and drawings.

**I. Objections to the Specification and Abstract**

The Abstract is amended to be within 150 words. Paragraphs [0002] and [0045] are amended to include the serial numbers of the references. Applicants respectfully request that these objections be withdrawn.

**II. Section 101 Rejection Moot**

Claim 38 is rejected under 35 U.S.C. §101 as directed to nonstatutory subject matter. This rejection is moot because claim 38 is canceled.

**III. Claims Patentable Over Excel Under 35 U.S.C. §102**

Claims 1-5, 10, 12-18 and 37-40 are rejected under 35 U.S.C. §102(b) as being anticipated by "User's Guide to Microsoft Excel," Version 5.0 1993 (Excel). These rejections are respectfully traversed.

Claim 1 recites, *inter alia*, "determining a distance between the focus of attention and the displayed event; wherein the attention shifting display element is determined based on the determined distance, such that different types of attention shifting display elements are determined for different distances." This concept is well described at, for example, paragraphs [0030] through [0032] of the specification. The claimed invention is patentable over Excel, regardless of how it may be modified in view of any of the other cited references, because even under the Office Action's interpretation of the tracer arrows of Excel as the claimed "attention shifting display element," Excel only uses one type of such element, i.e., the arrows. Therefore, claim 1 is patentable over Excel under 35 U.S.C. §102.

Claims 3-10 depend, directly or indirectly, from claim 1 and thus inherit the patentable subject matter of claim 1 while further defining or adding elements. Therefore, claims 3-10 are also patentable over Excel under 35 U.S.C. §102.

For similar reasons, independent claims 12, 19, 30, 37, 39 and 40 are also patentable over Excel under 35 U.S.C. §102. Likewise, dependent claims 13-18, 21-29, 31-36, 41-47 which depend from independent claims 12, 19, 30, 39 and 40 respectively are also patentable over Excel under 35 U.S.C. §102.

**IV. Claims Patentable Over Excel Under 35 U.S.C. §103**

Claims 19-23, 28 and 30-36 are rejected under 35 U.S.C. §103(a) as being unpatentable over Excel. These rejections are respectfully traversed.

As described above, Excel fails to teach or suggest the claimed different types of attention shifting display elements determined for different distances. Therefore, claims 19-23, 28 and 30-36 are patentable over Excel under 35 U.S.C. §103.

**V. Claims Patentable over Excel/Grudin under 35 U.S.C. §103**

Claims 7 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Excel further in view of "Partitioning Digital Worlds: Focal and Peripheral Awareness in Multiple Monitor Use," by Jonathan Grudin, 2001 (Grudin). These rejections are respectfully traversed.

As discussed above, Excel fails to teach or suggest the claimed different types of attention shifting display elements determined for different distances. Grudin fails to bridge the substantial gap of Excel. Claims 7 and 9 depend from patentable claim 1 while adding or further defining elements. Therefore, claims 7 and 9 are patentable over the combination of Excel and Grudin under 35 U.S.C. §103.

Claims 25 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Excel in further view of Grudin. These rejections are respectfully traversed. As discussed

above, Excel fails to teach or suggest that different types of attention shifting display elements are determined for different distances as claimed in independent claim 19. Grudin fails to bridge the substantial gap by this failure of Excel. Claims 25 and 27 depend from patentable claim 19 while adding or further defining elements. Therefore, claims 25 and 27 are patentable over the combination of Excel and Grudin under 35 U.S.C. §103.

**VI. Claims Patentable over Excel/Grudin/Tan under 35 U.S.C. §103**

Claims 6, 8 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Excel as modified by Grudin further in view of "Effects of Visual Separation and Physical Discontinuities when Distributing Information across Multiple Displays," by Tan et al., 2003 (Tan). These rejections are respectfully traversed.

As discussed above, Excel fails to teach or suggest the different types of attention shifting display elements are determined for different distances, as claimed in independent claim 1. Neither Grudin nor Tan bridge the substantial gap created by this failure of Excel. Claims 6, 8 and 11 depend, directly or indirectly, from patentable claim 1 while adding or further defining elements. Therefore, claims 6, 8 and 11 are patentable over the combination of Excel, Grudin and Tan under 35 U.S.C. §103.

Claims 24, 26 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Excel as modified by Grudin further in view of Tan. These rejections are respectfully traversed.

As discussed above, Excel fails to teach or suggest that different types of attention shifting display elements are determined for different distances, as claimed in independent claim 19. Neither Grudin nor Tan bridge the substantial gap created by the failure of Excel. Claims 24, 26 and 29 depend, directly or indirectly, from patentable claim 19 while adding or further defining elements. Therefore, claims 24, 26 and 29 are patentable over the combination of Excel, Grudin and Tan under 35 U.S.C. §103.

**VII. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:  
Amended Abstract

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